INDIANA LEGISLATURE.

[Omissions and curtailments of this report want of space in these columns will appear in mappendix to Volume XXIII of the Brevier Legislative reports.]

IN SENATE.

SATURDAY, March 28, 1885. LAWRENCEBURG.

On motion by Mr. JOHSTON, of Dearborn, the bill [H R. 342] to legalize the appraisement of real estate and assessment of taxes made by Common Councils was passed through the three readings, under a dispeneation of the constitutional restriction, and finally passed by year 38, neys 0.

Mr. Johnston explaining that it is intended to apply only to the city of Lawrenceburg.

CLAIM OF JOEL S DAVIS.

On motion of Mr. DUNCAN, of Brown, his bill [S. 201] to refund to Joel S. Davis certain damages paid by him into the Treasmry of Bartholomew County, was read the third time and passed by veas 28, nays 9-after explanations by Mr. Duncan and Mr.

FOUNTAIN AND WARREN COURTS.

On motion by Mr. MARSHALL his bill 8. 368) to fix court terms in the counties of Fountain and Warren was read the second and third times, under a suspension of the rules, and finally passed by yeas 36, nays 0. THE NEW STATE HOUSE,

Mr. WILLARD, Chairman of the Committee on Finance, submitted a report on the bill [H. R. 480] authorizing the continuance of the new State house tax levy of ten cents, besides a temporary loan of \$500.000. He stated that he had found that the bill, as passed by the House, was unconstitutional. The only way a State debt can be created is under Section 197 of the Constitution [reads], which makes at least one of the amendments proposed by the committee absolutely necessary.

In order to conform to the requirements of the Constitution, the temporary loan additional change by making the interest on the bonds 4 per cent, annually, instead of "4 per centum, payable semi-annually." The language of the bill might also be interpreted as including the \$150,000 for the improvement of the grounds and the appropriation of \$350,000 for the completion of the

nay vote, and finally passed the Senate by yess 36, nays 2.

Pending the roll callvote, said: I believe the last Legislature was a very liberal if not an extravagant one, and I believe this Legislature is the most liberal if not the most extravagast one that ever object of the law is not only to give the peo-met at the capital. Not a bill for the appropriation of money has failed during the session. We have already passed a bill for a loan of \$600,000, and this bill is for a loan of \$500,000 more, when we were told it wou'd not be necessary to make another loan. This is an increased burden. The State is being plunged hopelessly in debt. Taxation will have to be increased, and somebody will have to answer for it. But as the bill is necessary, I am compelled to vote "aye."

BREVIER LEGISLATIVE REPORTS. Mr. SMITH, of Jay, from the special committee thereon, returned the bill [8, 336] to pay for Brevier Legislative Reports heretoore authorized, ordered, accepted and bound by the State, with a report of evidence and a resommendation that the bill do pass, and also recommending the passage of a concurrent resolution authorizing payment for said reports of this General Assembly. On his farther motion the report of the

committee and accompanying evidence were ordered printed.

APPELLATE COURT. Mr. WEIR, from the special committee thereon, returned his Appellate Court bill with amendments increasing the pay of Judges from \$3,500 to \$4,000, etc.

The report of the committee was concurred CIRCUIT COURT DISTRICT BILL.

The Senate proceeded to the consideration of the special order, being the bill [H. R. 222] to abolish the office of District Com-

missioner, on its third reading. Mr. SELLERS: This bill is a new law embodying many of the provisions of the act of 1883 and 1881. The first section is similar to Section 4,273 of the Statutes of 1881, the only difference being that by this bill the Board of Commissioners shall appoint a Drainage Commissioner to hold office for two years, and who shall be acquainted with the wants and wishes of the people of the neighborhood. Section 2 is almost verbatim the act of 1883. Section 3 changes the law of 1883 (Section 2) with regard to notification by serving on the owner or occupant a written or printed notice in the same manner as summons are issued. A further provision allows notice to be served on agents of railway companies-the companies not cwning land but only the right of way. As to non-residents, the old form of notices are to be given. The bill gives ten days in which to remonstrate against the peti-The law of 1881 gave no timethe law of 1883 gave three days. This bill changes the law of 1883. At the time set for docketing, if two-thirds of the owners remonstrate, the petition shall be dismissed, so that no one man can force upon the community a burdensome and unnecessary proceeding. The bill authorizes the court to appoint a third disinterested commissioner in each particular case, thus giving to all interested a fair hearing; thence down to line 67 of the printed bill, Section 3, is similar to the old law. The the County Surveyor is required to note the lay of the ditches, the grade, etc., and turn over the notes to his successor. He shall give bond and be under oatk. The bill provides that the notices shall be at the cast of petitioners. In Section 4, ten days is given to remonstrate, in every respect similar to the provision on page 176 of the acts of 1883 A person may sometimes find but one to join in making a drain, when a proceeding in court must be had. Where all interested agree, there is no necessity for court preceedings. The remonstrator should pay the costs. Section 5 materially changes the law: "Including reasonable attorney's fees' are new. The cost of serving notice may be avoided by the petitioner serving the notices himself. The attorneys' fees must be submitted to the court, who will adjudicate the amount to be allowed. No costs or expenses, except on contracts, shall be paid until allowed by the court; that is a new provision. In the item of assessment there will be a greater saving than by reaon of any other change, as but one notice is required where five notices were required formerly.

A new provision is: The land owner as-

assessments against the lands.

sessed shall have the privilege of doing the

work on contract at the same price as the

lowest and best bidder, who can only bid by

rotations. There are some sixty executions

in Jasper County now in cases where there are no bidders of sums sufficient to pay the

smendment to the old law commences at line 68, page 10, of the printed bill. Those and is one of the best provisions of the bill. may have may be swept away in order that the wet land he once owned may be improved. This can not happen under this bill. Section 6 is a copy of the old law down to line sixteen. There a new provision is added. In many counties persons are abliged to go to a great deal of trouble in order to get rid of such liens, although they have been paid. If this bill does not pass another ought to be passed to obviate this difficulty. Section 7 ma'erially changes the law of 1883. The first three lines are similar. Under the old law a great complaint was that Commisstoners got in too much time; in some instances charging a day for any part of it spent on any one drain, and they frequently had quite a number to superintend. This is an advantage to be derived from this bill; so that each work can have a superintendent that will give a sufficient time to the work not to cause delay. This section also fixes the per diem at \$3 per day for the time actually and necessarily employed. In many counties they have heretofore been paid \$5 per day. Section *is an exact copy, as I recoilect it; it is an exact copy of Section 6 of the act of 1883 Section 9 distinctly states who should pay the benefits assessed. Section 10 provides the work shall be under the control of the County Surveyor, the sum necessary to be paid out of the county funds At the end is added a provision for pay to the Surveyor of \$3 a day when his work shall be mainly, clerical. If he works on two or more drains in one day, he must charge only for the time employed. Section 12 exempts from the provisions of this bill commenced beretofore. Section 14 is the emergency clause. A great many petitions are now being filed, and if the operations of this shall not proceed. bill are delayed until regular publiestion of the laws, it will should be for the purpose of covering a give the people no relief, because they "casual" deficiency. He recommended an | will thus be relieved from the provisions of this act. I have considered many minor matters in order that this report may be unanimous. The Committee took into consideration all disputed questions of which we had any knowledge and attempted to cure them in this bill. There are several important measures in this bill that should On his further motion the report of the | I promised I would only explain the changes | committee was concurred in, the bill read | made in this bill from the present law. I may the second and third times, under a suspen- have overlocked some, but I have endeavsion of the constitutional rule by a yea and ored to refer to them ail. It has been suggested that the appeal should be in the county where the land lies, but it ought to be under the charge of the Surveyor at the Mr. McINTOSH, in explanation of his head or source of the ditch, as that is the place where proceedings must first be instituted; that is the place where the appeal should be taken if any is provided for. The

> pleted nobody but the County Surveyor acts. FARES ON FERRIES.

Pending Mr. Sellers' speech-Mr. McCLURE asked and obtained leave to call the attention of the Senate to the fact that notwithstanding a motion has been formally entered to reconsider the vote by which the Senate passed the bill [S. 293] regulating ferry fares, the bill is now being considered in the House of Representatives.

ple the relief of drainage, but also to pro-

vide for keeping the drain open. If the

County Surveyor at the beginning of action

is a competent person he will continue to

keep the ditch open. After the work is com-

The PRESIDENT pro tem (Mr. Magee) directed the Assistant Secretary to hunt up the record of the motion on the Sanate journal. (After some time). The Chair announced that the Secretary could find no entry of a motion to reconsider.

Mr. MACY read from page 320 of the Brevier Reports showing the motion ic reconsider was made by the Senator from Jennings (Mr. Smith). Mr. DAVIS moved that the Senate journal

be so amended as to show that on March ? the Senator from Jennings moved to reconsider the action of the Senate on Senate bill

It was so ordered. The Senate abjourned till Monday at 9:30

> HOUSE OF REPRESENTATIVES. SATUFDAY, March 28, 1885-9 a. m.

THE MARTIN CLAIM. Mr. KELLISON moved that the Senate concurrent resolution that an expert be employed by the Senate committee to compare the measurements of the walls of the Insane Asylum, relative to the Martin claim, lie on

Mr. KELLISON, explaining his vote, said: I have been opposed to this claim from the first. I do not believe in appointing a man to further the claim. I vote "aye."

the table.

Mr. MOODY, when his name was called, said: The resolution does not appoint an expert to go out to the asylum and measure the walls, but to compare the measurements heretofore made. I vote "no." So the motion was rejected.

tien to amend so that the expert be employed to measure the wails.

Mr. KELLISON made an ineffectual mo-

Mr. REEVES believed that the resolution proposed no advantage.

Mr. BEST: I believe that the claim is a just one, and am heartily in favor of con-curring in the resolution. I believe that it will result in allowing the claim.

On motion of Mr. WILLIAMS an amendment was adopted that the expert be allowed no more than \$50. Mr. BUTZ: I move to amend that the ex-

pert employed be a resident outside of Marion County. Mr. BEST: I do not favor insinuating that the men of Indianapolis or Marion County are not honest. The pay to be allowed is but

\$50, and to select a man outside will exhaust all the money allowed. Mr. PENDLETON: I fully appreciate the comp iment paid Marion County by the gentleman, but I hope the amendment will prevail. Any man in Marion County will come here under a cloud. We ought to

adopt the amendment that the expert should come from outside the State. The amendment was rejected. The concurrent resolution was then

PAY TO THE PRISON COMMITTEE.

On motion of Mr. ADAMS, the Senate concurrent resolution to allow the Senate Prison Committee \$10 for each member-expenses for visiting the prisons-was laid on the

THE APPROPRIATION BILL. On motion by Mr. PATTEN, the House resolved itself into a Committee of the Whole (Mr. Adams in the Chair) for the consideration of the bili [H. R. 527] to make general appropriations for expenses of the

State government. The question being on the amendment by Mr. REEVES to allow Purdue University \$1

for new buildings. Mr. PATTEN said: We are here talking Mr. SELLERS (resuming). The provisent buildings. [Reads.] This shows that one of the bill are intended to prevent delay | the present capacity of the buildings is !

enough of tools. I am not in favor of giving \$1. but \$1 is easier to pay than \$25 or in default should pay the additional ex- \$25 000. Give them money; money is all pense. This was added by the Chairman, they want. And then on the banks of that classic Wabash will spring such an institu-It has frequently been found that the land | tion as was never known in the State. will not sell for the assessments made for Think of giving them \$40,000 at the improvement, so everything the owner one time! Who owns Purdue? Does the State or do the Representatives from Toppecanoe and Clinton own it? Why, along the banks of the limpid Wabash even the catfish become more active as they pass Purdue. After awhile there is no telling what Purdue may turn out. There is no telling. Even the willows that bow themselves along the Wabash will even have intelligence. Wny, even down in Sullivan County, along the Wabsah, the inspiration seems to reach us as Purdue University is enlightening the world. This institution is a robber, and when I say it, I say it in no unfairness to Purdue. I do not mean it individually, but as an institution it is a robber. Money is asked for continually to sustain this fraud. Why do the men stay there but if for money? We are to legislate in the right way, and not for favoriteism. We have already appropriated \$40,000 to Purdue. Those buildings have been erected at a large expense to Indiana. Of course, the people of Tippecance paid something for the institution; but they did that to get it, and they have the students to make money out of. They have sent their greatest man here, and he has voted for every measure on this floor. I suppose, to keep the good feelings of the other members that they might all vote for Purdue. But this is the last year for Purdue. It will die, and never to rise again. to be rein bursed by those benefited, and The farmers and mechanics do not favor Surveyors \$4 and Commissioners \$3 per day. Tippecanoe (Mr. Smith) or the gentleman from Clinton (Mr. Staley) raising their voices for the grand old college at Bloomington?
The CHAIRMAN: The gentleman has

gone far enough. The gentleman is out of erder, and can not longer impugn the motives of the two gentlemen. The gentleman

Mr. TYLER: The rule says the gentleman The CHAIRMAN: As soon as he is in

Mr. SAYRE: The rules say he shall take his seat, and may not proceed without the consent of the House. Mr. McMICHAEL: I move that the gen-

tleman be allowed to proceed. The CHAIRMAN: The gentleman is granted the floor if he will keep in order. Mr. PATTEN: That is fair and well enough. In eleven years Pardue has cost commend it to Senators, and all interested. | the State \$7,000 for agricultural implements. And it is not an agricultural college nor is

it a State institution. Mr. SMITH, of Tippecance: This gentleman talks as if no one outside the State could enter this institution, but residents of Tippecance County. Of course this is not true. The \$25,000 asked for is to construct buildings and to provide them with tools. In all the history of Purdue, every single item of expense has been open to the world. I propose to state facts every time, upon the honor of a man. Tippecance County has done not only nobly by Pordue, but has given \$77,000 to Asburg University. I think as much of De Pauw University as any man in the State. It you

donate this money the building will be constructed, and you may rely upon it. You say that if we need \$25,000 we are not in earnest if we take \$15,000. However if we secure the \$15 000 it may be invested in the buildings, and then if you give us the tools we can use them. Mr. SAYRE moved as a substitute that the

sum be \$17.500.

Mr. STALEY: Gentlemen come here and ask for various sums to support the State institutions. We have met their wishes. We may have said that their expenses were high, but we have never before said that they needed nothing at all. The intimation back of this is that the State will abandon Purdue. Any party or clique which may do so to go before the people of Indiana on that issue will go down. Pardue University constitutes an important part of the educational system of the State, though the youngest. When it comes to make appropriations for the State educational institutions the people are always ready for it. In our county the people are almost ready for prodigality; so are the people of the State. The educational institutions are for the common people; they are for the poor man. The people demand all the State educational institutions. We must give liber-

ally-we can not, we dare not oppose it. The substitute to make the sum \$17,000 was rejected by yeas 34, nays 35. Mr. REEVES withdrew his amendment to make the sum \$1.

The amendment to make the sum \$15,000 was rejected by yeae 34, nays 36. Mr. DEEM offered an amendment that the sum be \$12,000. This amendment was rejected.

On motion of Mr. GORDON the committee then proceeded to the next item.

STATE NORMAL SCHOOL. Mr. DEBS moved that the item appropriating \$7,000 to the State Normal School at Terre Haute be \$10,000. He said: This school ought to be generously supported by the State. This money is needed. The State Normal School educates teachers for the Common Schools. The bill in the Senate to make the tuition fund \$25,000 failed, and the extra \$3,000 is needed.

Mr. KELLISON: I hope this amendment will prevail. The State Normal School is a part of our Common School system. It prepares teachers for our Common Schools. We ought not to fail to sustain it liberally. It has a reputation not confined to Indiana. While others are here lobbying for their institutions, no one is here in that capacity for the State Normal.

Mr. WILLIAMS: As one citizen of Indiana I am proud of the Common School system, and as a part of our Common School system I favor the State Normal School. think this sum is moderate enough. Mr. GORDON: I believe the State Normal School is a creditable institution and

stould be supported. The Trustees, how-ever, did not ask for the sum of \$10,000. Mr. BEST: The people of Steaben County are bard pressed, but they are willing to give to our educational institutions what is

Mr. SMITH, of Tippecanoe: Give the \$10,000 to the institution, for it needs it. and repair the wrong you have done to education by refusing Pardue. I am in favor of the State Normal with its 1,100 students, and am for Bloomington. I am no dog in the manger.

The amendment to make the sum \$10 000 was adopted by yeas 39, navs 23.
On motion of Mr. DITTEMORE the committee grose, reported progress, and asked leave to sit again at 2 o'clock on Monday

The House concurred in the report of the Committee of the Whole. Mr. SMITH, of Tippecanoe: The Senator

from Tippecanoe has just called my attention to the fact that the bill [S. —] regarding the Lafayette Public Library should be passed, as court is in session and we are likely to lose the building. I move that the constitutional rules be suspended and the bill read a second and third times and put upon its passage.

The motion was agreed to. Pending a vote on the bill, the House took a recess till 2 o'clock.

AFTERNOON SESSION. The SPEAKER: We have here some mes-

in the construction of the work. The next abundant. They have plenty of room and sages of the Senate which will be disposed

FARES ON FERRIES. The bill [8, 201] concerning ferries, was read th first time and passed to the second reading.

JUSTICES' JURISDICTION. Mr. ELEY'S bill [H. R. 7] concerning the jurisdiction of Justices of the Peace was reported back from the Senate with an amendment to the title. The amendment was concurred in.

THE NEW STATE-HOUSE.

Mr. McMULLEN'S bill [H. R. 480] concerning the tax for the new State-house was referred back from the Senate with certain

The amendment was concurred in. SUNDAY BASE BALL PLAYING.

The SPEAKER: This message (from the Senate) says that the base ball bill (No 6 has been sent here. The bill is not here. and I don't know where it is. I voted against it before, but if an attempt is made to dispose of it this way, I will feel disposed to vote for it. Neither are the amendments

Mr. COPELAND: I move that a committee of inquiry be appointed as to where it is. The motion was agreed to. The SPEAKER appointed Mr. Copeland and Mr. Eley as said special committe.

ON THE DEATH OF MR. BROWNING.

On motion of Mr. SHITH, of Tippecanoe, the resolutions on the death of the late Representative Browning were taken from See Appendix.

The resolutions of respect were adopted by a rising vote. The House adjourned until 10 o'clock on Monday morning.

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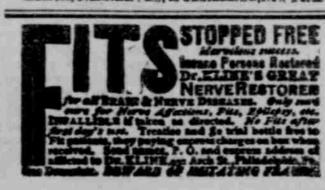
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Duffy's Malt Whiskey, is the purest liquor that I
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mous Malt Whiskey, I know it to be wholesom
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